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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARTHURO MEHRETU, an Individual,

Plaintiff,

vs.

SOUTHERN NEVADA HEALTH
DISTRICT, a Political Subdivision of the
State of Nevada,

Defendant.

Case No.: 2:21-cv-02004-RFB-NJK

STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND EARLY
NEUTRAL EVALUATION
(FIRST REQUEST)

Pursuant to Local Rules IA 6-1 and 26-3, IT IS HEREBY STIPULATED AND AGREED by and between ARTHURO MEHRETU ("Plaintiff") and SOUTHERN NEVADA HEALTH DISTRICT ("Defendant" or "Health District") that the current deadlines contained in this Court's Order Scheduling Early Neutral Evaluation Session (ECF No. 10) be extended by two (2) months in the above referenced matter and that the deadline for a discovery plan and scheduling order be continued, pending a determination on Defendant's Motion to Compel Arbitration. This is the first stipulation to extend such deadlines.

I. BACKGROUND AND REASON FOR MODIFICATION

This case arises out of alleged unlawful workplace discrimination and retaliation against Plaintiff by his former employer, the Health District. Plaintiff alleges he filed three (3) separate, unrelated reports within the Health District, which resulted in no fewer than eleven (11) purported

1 adverse employment actions extending over a period of five (5) years, ultimately leading to
2 his termination on December 18, 2020. Based on such allegations, Plaintiff asserts numerous state
3 law and federal claims against the Health District, including: (1) discrimination based on
4 race in violation of NRS 613.330, *et seq.* and Title VII, 24 USC 2000e, *et seq.*; (2) retaliation
5 based on race in violation of NRS 613.340 and 42 USC 2000e-3; (3) violation of the Civil
6 Rights Act of 1871, Section 1981; (4) intentional/negligent infliction of emotional distress;
7 and (5) wrongful termination in violation of public policy (whistleblower).

8 Defendant filed a Motion to Dismiss Plaintiff's Complaint on March 7, 2022 (ECF No. 8),
9 the filing of which triggered this Court's Order Scheduling Early Neutral Evaluation Session
10 pursuant to Local Rule 16-6 on March 10, 2022 (ECF No. 10). However, prior to any opposition
11 being filed to the Motion to Dismiss, on March 14, 2022, Defendant withdrew its Motion to
12 Dismiss and filed a Motion to Compel Arbitration. *See* ECF No. 11 (Motion to Compel
13 Arbitration); ECF No. 12 (Notice of Withdrawal of Motion to Dismiss). The Motion to Compel
14 Arbitration having been fully briefed, the parties are awaiting a ruling from the Court.

15 Good cause exists to extend the Early Neutral Evaluation deadlines. The Court's
16 determination on the pending Motion to Compel Arbitration may remove this matter entirely from
17 this Court's jurisdiction so that it may be determined by an arbitrator, in accordance with the terms
18 of the arbitration agreement at issue. Further, given the detailed complexity of Plaintiff's factual
19 allegations, additional time is needed to investigate the legal and factual issues whose early
20 resolution would reduce the scope of the dispute or contribute to settlement negotiations and to
21 assess the relative strengths and weaknesses of each of Plaintiff's claims and candidly evaluate the
22 merits of this case.

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II. STIPULATION

The parties respectfully request that the Court grant a two (2) month extension to the deadlines contained in its Order Scheduling Early Neutral Evaluation Session. The parties jointly seek a modification of the current deadlines as follows:

1. Current Deadlines:

Initial Disclosures	April 25, 2022
Written Evaluation Statements	April 25, 2022, 4:00 p.m.
Email Chambers re: Email Addresses	April 25, 2022
Early Neutral Evaluation	May 2, 2022

2. Proposed Deadlines:

Initial Disclosures	June 24, 2022
Written Evaluation Statements	June 24, 2022, 4:00 p.m.
Email Chambers re: Email Addresses	June 24, 2022
Early Neutral Evaluation	On or about July 1, 2022

Further, the parties agree that this stipulation does not constitute acceptance by Defendant of the Court's jurisdiction in this matter or any waiver with respect to its efforts to move this case to arbitration in accordance with the terms of the arbitration agreement. The parties acknowledge that if the Motion to Compel Arbitration is granted, the foregoing deadlines will be rendered moot.

The parties also stipulate that the deadline for submission of a discovery plan and scheduling order be continued, pending a determination on Defendant's Motion to Compel Arbitration.

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Arturo Mehretu v. Southern Nevada Health District
Case No.: 2:21-CC-02004-RFB-NJK
Stipulation And [Proposed] Order to Extend
Early Neutral Evaluation (First Request)

This request is made in good faith and not for purposes of delay.

IT IS SO STIPULATED.

DATED this 21st day of April, 2022

DATED this 21st day of April, 2022

MESSNER REEVES LLP

HKM EMPLOYMENT ATTORNEYS LLP

/s/ Michael M. Edwards
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ORDER

The deadlines are hereby extended and continued as stipulated by the parties, with the
Early Neutral Evaluation Session to commence at 10:00 a.m. on July 6, 2022.

The confidential ENE statement and email chambers re: email addresses are due by 4:00 PM, June 25, 2022.
All else as stated in ECF No. 10 remains the same.

IT IS SO ORDERED.

Request regarding discovery must be file
separately for consideration by Judge
Koppe.


UNITED STATES MAGISTRATE JUDGE

DATED: 4-21-22

CERTIFICATE OF SERVICE

I certify that I am an employee of Messner Reeves LLP and that on this 21st day of April, 2022, I served a true and correct copy of the foregoing **STIPULATION AND [PROPOSED] ORDER TO EXTEND EARLY NEUTRAL EVALUATION (FIRST REQUEST)** to all parties on file:

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Attorneys for Plaintiff

☐ Hand Delivery
☐ FACSIMILE TRANSMISSION
☐ U.S. MAIL, POSTAGE PREPAID
☒ CM/ECF E-Filing Service System
☐ Electronic Mail

/s/ Lisa Thayer

An Employee of Messner Reeves LLP